

REMARKS

By this Amendment, claims 1, 5, 12-13, 16, 18, 21, 23 and 34 are amended, and claims 38-45 are newly added. The claims have been amended to further recite the claimed subject matter or correct typographical errors without the intention of narrowing the scope of any of the claims. No new matter is added. Accordingly, after entry of this Amendment, claims 1-45 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

The Examiner indicated that the publication number 2004/0123351 of the U.S. Patent Application Publication to Krautschik provided in the Information Disclosure Statement (IDS) of January 6, 2005 was erroneous. The correct publication number of U.S. Patent Application Publication to Krautschik is 2004/125351 and is shown as such in Applicant's IDS of January 6, 2005. Applicants do not know where the publication number 2004/0123351 comes from. Applicants submit herewith another copy of PTO Form 1449 citing U.S. Patent Application Publication 2004/125351. The Examiner is respectfully requested to initial this reference and sign and date PTO Form 1449 and return it to Applicants' representative with the next communication from the Office.

Furthermore, Applicants respectfully request an initialed copy of the IDS letters of January 6, 2005, June 22, 2004 and February 20, 2004, which cite various unpublished patent applications.

Applicants appreciate the Examiner's indication that claims 5, 17, 18, 20, 27, 29, 31, and 33-36 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicants respectfully submit that claims 5, 17, 18, 20, 27, 29, 31, and 33-36 are allowable for at least the same reasons provided below.

In the Office Action, claims 6, 12, 16, 19, 21 and 28 were objected to. The objection is respectfully traversed.

Claims 12, 16 and 21 are amended to delete the recitations of "said final element" and "the final element" and the objection with respect thereto is now moot.

With respect to claims 6, 19 and 28, the Examiner contended that "the written description does not seem to adequately disclose the shutter attached to the liquid supply." Applicants respectfully disagree and note that the specification of the present application teaches that the shutter may be attached to the liquid supply system via, for example, a seal

member that is part of the liquid supply system. (See, e.g., paragraphs [0059] and [0071], and FIG. 5).

Accordingly, reconsideration and withdrawal of the objection to claims 6, 12, 16, 19, 21 and 28 are respectfully requested.

Claims 1-4, 6-14, 16, 19, 21, 22-26, 28, 30, 32 and 37 were rejected under 35 U.S.C. §102(b) based on Suwa (U.S. Pat. No. 6,191,429). The rejection is respectfully traversed.

Claim 1 recites a lithographic projection apparatus comprising, *inter alia*, a shutter configured to keep said projection system in contact with liquid when said substrate, at least while on the substrate table, substantially comes out of contact with the liquid. Suwa does not disclose, teach or suggest an apparatus including this feature. Therefore, Suwa does not disclose, teach or suggest each and every feature recited by claim 1 and, as a result, cannot anticipate this claim.

Suwa discloses an immersion projection system that includes a projection lens and a wafer holder. (See Col. 23, lines 1-8). Suwa also discloses that the wafer is held on the wafer holder which attracts the backside surface of the wafer by vacuum suction, and that an annular auxiliary plate portion HRS is provided on a peripheral portion of the wafer holder so as to surround the circumference of the wafer. (See col. 9, lines 5-9). However, Suwa is silent about a shutter configured to keep the projection system in contact with liquid when the substrate, at least while on the substrate table, substantially comes out of contact with the liquid. In Suwa, when the wafer W is on the wafer holder WH and substantially comes out of contact with the liquid LQ, the auxiliary plate HRS does not keep the projection lens in contact with the liquid LQ. Therefore, Suwa cannot anticipate claim 1.

Claims 2-4, 6-14, 16, 19, and 21-22 are patentable over Suwa at least by virtue of their dependency from claim 1 and for the additional features recited therein.

Claim 23 is patentable over Suwa for at least similar reasons as provided above in connection with claim 1. Namely, claim 23 is patentable over Suwa at least because this claim recites a device manufacturing method wherein, *inter alia*, maintaining said projection system in contact with liquid when said substrate, at least while on the substrate table, substantially comes out of contact with the liquid. Suwa fails to disclose, teach or suggest a shutter for similar reasons as discussed above. Therefore, claim 23 is patentable over Suwa.

Claims 24-26, 28, 30, 32 and 37 are patentable over Suwa at least by virtue of their dependency from claim 23 and for the additional features recited therein.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-4, 6-14, 16, 19, 21, 22-26, 28, 30, 32 and 37 under 35 U.S.C. §102(b) based on Suwa are respectfully requested.

Claims 1, 21, 23 and 36 were rejected under 35 U.S.C. §102(e) based on Lin (U.S. Pat. Publ. 2004/0075895). The rejection is respectfully traversed.

Claim 1 is patentable over Lin at least because this claim recites a lithographic projection system comprising, *inter alia*, a shutter configured to keep said projection system in contact with liquid when said substrate, at least while on the substrate table, substantially comes out of contact with the liquid. Lin does not disclose, teach or suggest an apparatus including this feature. Therefore, Lin does not disclose, teach or suggest each and every feature recited by claim 1 and, as a result, cannot anticipate claim 1.

Lin discloses an apparatus for immersion lithography including a fluid containing wafer stage that includes an internal cavity 18 for holding a fluid 22. (*See* paragraph [0032]) Lin further discloses that a fluid retaining means 82 is utilized to keep the fluid 22 between the front surface 44 of the imaging lens 36 and the top surface 38 of the wafer 20. (*See* paragraph [0037]). However, Lin is silent about a shutter configured to keep the projection system in contact with liquid when the substrate, at least while on the substrate table, substantially comes out of contact with the liquid. In Lin, when the wafer 20 is on the wafer holder 16 and substantially comes out of contact with the liquid 22, the sides 42 of the wafer holder 16 do not keep the projection lens in contact with the liquid 22. Therefore, Lin cannot anticipate claim 1.

Claim 21 is patentable over Lin at least by virtue of its dependency from claim 1 and for the additional features recited therein.

Claim 23 is patentable over Lin for at least similar reasons as provided above in connection with claim 1. Namely, claim 23 is patentable over Lin at least because this claim recites a device manufacturing method wherein, *inter alia*, maintaining said projection system in contact with liquid when said substrate, at least while on the substrate table, substantially comes out of contact with the liquid. Lin is completely silent about such a feature for similar reasons as discussed above. Therefore, claim 23 is patentable over Lin.

Claim 36 is patentable over Lin at least by virtue of its dependency from claim 23 and for the additional features recited therein.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 21, 23 and 36 under 35 U.S.C. §102(e) based on Lin are respectfully requested.

Claims 38-45 are newly added and define additional subject matter that is novel and non-obvious over the cited prior art. Claims 38 and 39 depend from claims 1 and 23, respectively, and are patentable over Suwa, Lin or a combination thereof, for at least similar reasons as provided above in connection with claims 1 and 23. Claims 40-45 are patentable over the cited prior art at least because these claims recite a lithographic projection apparatus including a liquid supply system configured to provide an immersion liquid, through which said beam is to be projected, in a space between said projection system and a localized area of said substrate, said liquid supply system extending along at least part of a boundary of said localized area. Therefore, it is respectfully submitted that claims 38-45 are in condition for allowance.

Applicants have addressed all the Examiner's rejections and objections and respectfully submit that the application is in condition for allowance. A notice to that effect is earnestly solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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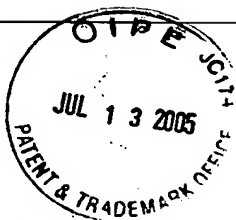
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of

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Examiner: Kim

Group Art Unit: 2851

U.S. PATENT DOCUMENTS

Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	2004/125351	07/2004	KRAUTSCHIK			
	BR						
	CR						
	DR						
	ER				355	53	

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclosed	No
	FR								
	GR								
	HR								
	IR								
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